

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Gregory Hoffman,

Defendant

v.

UNITED STATES OF
AMERICA,

Plaintiff

Case No. 2:08-cr-00027-GMN-GWF

MOTION FOR
AFFIRMATIVE RELIEF, AND
MOTION TO COMPEL COURT
FOR OPINION.

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
MAR - 6 2014	
CLERK US DISTRICT COURT DISTRICT OF NEVADA BY: DEPUTY	

Comes now the petitioner of this case, hereby
before this Honorable court on this 24th day
of February, 2014 asking to grant him
Affirmative Relief from incarceration
based on the following grounds:

- 1.) The defendant wishes to compel this court for an honest opinion about the length of sentence. Seemingly a 25 year sentence is outrageously ludicrous given the direct circumstances of this case.
 - a. Defendant was a first time offender.
 - b. Defendant had no contact victim in case.
 - c. Defendant had no prior history of the type of crime for which he was convicted of.
 - d. Defendant had no prior history of violence or violent crimes.

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2.) The Defendant has fallen into a Biased category of "one size fits all" for sex offenses. Seeing how the Defendant completely "Relinquished" possession of the CD's in question which contained illicit images when he left the discs behind at his wife's residence in Las Vegas, Nevada after moving to New York was never taken into consideration by this court. The Defendant never had "true possession" of those CDs at the time of his arrest. Also the fact that the Defendant never made attempts to actually go to Washington State where alleged victim "K" was residing at the time clearly does not sustain the charge of stalking. This too was never taken into consideration.

3.) The Defendant, raising multiple objections to his trial attorney about his PSI report was never considered.

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3.) In Fact, NO PSI objections Report Was ever provided nor afforded To The Defendant. ONE of The primary objections To The PSI Report Was how The Government porTrayed him as being entrenched in child pornography, which was The Furthest Thing from The Truth, because his own personal computer which was seized by The STATE of New York had NO pornography on it whatsoever. This Too was Never Taken into consideration by The court, yet The Government was Able To Slander The character of The Defendant in a Very pretentious MANNER.

4.) The Troy STabenow Report about Deconstructing The Myth of Careful Study: A primer on The Flawed Progression of The Child Pornography Guidelines, January 2009,

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4.) was Never Taken into Consideration by This Court. The Primer Exploits The Harsh Guidelines enacted into Law over The course of Time, And how They served Religious groups as well as Troubling Methodology and Congressional Mandating which served political Agendas.

5.) This court Never considered How The Sentencing Commission itself had a priority of Reducing Sentencing Guidelines for Child Pornography Offenses, But Because of Congressional pressure The Commission was Never allowed To Do its Job. This Priority was on The Docket For The Sentencing Commission To Review, because Judge Patti Saris Knew The Guidelines were Too Harsh. She was Aware of The Stabenow Primer as well, which had Clouting Validity.

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6. The Defendant had asked his Trial Attorney, Todd Leventhal To MOTION For Downward Variance. Mr. Leventhal Lied To The Defendant, And Told him he would prepare The motion, but Never Did.

Defendant also asked This court for an evidentiary hearing, And CANNOT understand How The court, Now knowing everything STATED in This MOTION can Deny an evidentiary Hearing.

7. This 25 year SENTENCE makes No SCRUPULOUS SENSE whatsoever. How can this court CONSCIOUSLY maintain its INTEGRITY KNOWING THAT IT has handed down a Severe SENTENCE To a NON-Severe offender is beyond comprehension. The Defendant Desperately seeks a COGNITIVE REASON for the logic which has dictated his fate To serve out the DURATION of his SENTENCE. Keeping the Defendant Locked up is a SENSELESS ACT of INJUSTICE, as he poses no Threat To The public whatsoever.

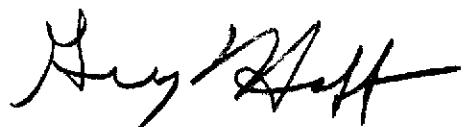
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Conclusion

IN closing, Defendant ENTREATS
This Honorable court To please Take
mercy on Him. The Defendant understands
he Did wrong, but Asks for his Life
back, as To receive a 2nd chance.

Defendant Feels That The Honorable
Judge in This case may perhaps
empathize with The Defendant, And
Defendant Asks To please realize The
Severity of The Sentence as it pertains
To The Severity of The Offense.

Thank you



Gregory HOFFMAN

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